



United States Department of Agriculture

September 3, 2019

Delivered via Electronic Mail

Emma Best

Email: 76373-87828468@requests.muckrock.com

**RE: Freedom of Information Act (FOIA) Request 2019-DA-05144-F
Final Response**

Dear Ms. Best:

This is the final response to the July 1, 2019, Freedom of Information Act (FOIA) request you submitted to the U.S. Department of Agriculture (USDA), Departmental FOIA Office (DFO). The request sought copies of records mentioning or describing Pride Month activities, events or observances in 2017, 2018 or 2019, including but not limited to:

1. directives;
2. policies;
3. pride flag;
4. commemoration;
5. publications; and
6. emails, memos, letters, and other communications with OGAs or the White House.

Your request has been processed under the FOIA, 5 U.S.C. § 552.

Multiple searches for responsive records were conducted in the Office of Human Resources Management (OHRM) and among the leadership of Equality USDA, the employee resource group for USDA's LGBT+ employees and retirees. The searches located one-page (1) of a USDA Newsletter from June 2017 and thirty-six (36) pages of Pride programs and posters from June 2018 and June 2019.

Following a review of the responsive Pride-related agency records, the DFO has determined that certain information contained in the records should be withheld pursuant to FOIA Exemption 6 (5 U.S.C. § 552(b)(6)). Below is an explanation of the information that has been withheld.

FOIA Exemption 6

Exemption 6 generally is referred to as the “personal privacy” exemption. It provides that the disclosure requirements of the FOIA do not apply to “personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of

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personal privacy.” Application of the exemption involves balancing the public’s interest in disclosure against individuals’ privacy interests.

The information withheld under FOIA Exemption 6 consists of a mobile telephone number and a phone number extension. This information qualifies as “similar files” because it is information in which individuals have a privacy interest. Public release of private contact information could subject individuals to unwarranted or unsolicited communications, or even harassment. Moreover, the release of this information would not shed light on governmental operations. Since there is a viable privacy interest that would be threatened by disclosure, Exemption 6 authorizes this office to withhold the information. Accordingly, we have determined that the public interest in the information’s release does not outweigh the overriding privacy interests in keeping it confidential.

You may appeal this response by email at USDAFOIA@ocio.usda.gov, or by mail to the Assistant Secretary for Administration at 1400 Independence Avenue, S.W., Whitten Building, Room 209-A, Washington, D.C. 20250-0103. Your appeal must be in writing, and it must be received no later than 90 calendar days from the date of this letter. The DFO will not consider appeals received after the 90-calendar day limit. Appeals received after 5:00 p.m. EST will be considered received the next business day. The appeal letter should include the FOIA tracking number listed above, a copy of the original request, the DFO’s response to your original request, and a statement explaining the basis of your appeal. For quickest possible handling, the subject line of your email, the appeal letter, and its envelope, if applicable, should be marked “Freedom of Information Act Appeal.”

If you have any questions regarding this letter, please contact Ms. Christine Jordan at 202-772-9091 or electronically at Christine.Jordan@ocio.usda.gov or USDAFOIA@ocio.usda.gov.

You may seek dispute resolution services from the DFO’s FOIA Public Liaison, Ms. Ravoyne Payton at USDAFOIA@ocio.usda.gov.

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001; email at ogis@nara.gov; telephone at 202-741-5770; toll-free at 1-877-684-6448; or facsimile at 202-741-5769.

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The DFO Team appreciates the opportunity to assist you in this matter.

Sincerely,

Alexis R. Graves
Departmental FOIA Officer
Office of the Chief Information Officer

Enclosures: Responsive Records (37 pages)